



Rec' CT/PTO 15 AUG 2005

Docket No. SP-1307 US

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Arthur H. Konwinski

Examiner:

Serial No.: 10/521,145

Art Unit:

I. A. Filing Date: October 17, 2003

Title: **FOOD COATING COMPOSITION AND METHOD OF MAKING  
SAME**

"Express Mail" Label No. EV 042959371 US

Date of Deposit August 15, 2005

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

By Sheri West  
Typed Name: Sheri West

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371 IN THE US DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

In response to the Notification of Missing Requirements Under 35 USC 371 in the US Designated/Elected Office (DO/EO/US) in the matter of the above-identified U.S. patent application Serial No. 10/521,145, Applicant encloses herewith the following documents:

Response  
Serial No.: 10/521,145  
August 15, 2005

Page 2

Fee Transmittals for FY 2005 (2);

A copy of the Notification of Missing Requirements Under 35 USC 371 in the US Designated/Elected Office (DO/EO/US);

Declaration and Power of Attorney for Patent Application Signed by Messers Konwinski and Worrall;

Petition By Joint Inventor(s) Filing On Behalf of Other Joint Inventor(s) Who Refuse(s) To Join In Application Or Cannot Be Reached 37 CFR 1.47(a);

Statement Of Facts In Support Of Filing On Behalf of NonSigning Inventor (37 CFR 1.47);

Added Page to Combined Declaration And Power Of Attorney For Signature By Joint Inventor(s) On Behalf Of NonSigning Inventor(s) Who Refuse(s) To Sign Or Cannot Be Reached (37 CFR 1.47(a));

Express Mail Receipts and Letters for Correspondence sent to Mr. Katen

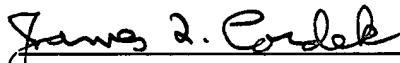
Applicant believes that the foregoing comprises a full and complete response to the Notification of record.

If any additional fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to our Deposit Account No. 50-0421.

08/23/2005 ATRAN1 0000043 500421 10545767  
01 FC:1464 130.00 DR

Respectfully submitted,  
Solae, LLC

Date: August 15, 2005

  
James L. Cordek  
Registration No. 31,807

PO Box 88940  
St. Louis, MO 63188  
314.982.2409



Attorney's Docket No. SP-1307 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Arthur H. Konwinski, et al.  
Serial No. : 10/521,145  
I. A. Filing Date : 07/22/2003  
Art Unit :  
For : Food Coating Composition and Method of Making Same

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COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

EXPRESS MAIL CERTIFICATE

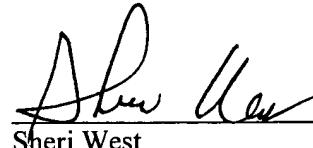
Express Mail" Label Number: EV 042959371 US

Date of Deposit: August 15, 2005

I hereby certify that the attached: Transmittal Form (1 page); Fee Transmittals for FY 2005 (1 page in duplicate); Notification of Missing Requirements Under 35 USC 371 in the US Designated/Elected Office (DO/EO/US) (2 pages); Declaration and Power of Attorney for Patent Application Signed by Messers Konwinski and Worrall (4 pages); Petition By Joint Inventor(s) Filing On Behalf of Other Joint Inventor(s) Who Refuse(s) To Join In Application Or Cannot Be Reached 37 CFR 1.47(a)) (2 pages); Statement Of Facts In Support Of Filing On Behalf of NonSigning Inventor (37 CFR 1.47) (8 pages); Added Page to Combined Declaration And Power Of Attorney For Signature By Joint Inventor(s) On Behalf Of NonSigning Inventor(s) Who Refuse(s) To Sign Or Cannot Be Reached (37 CFR 1.47(a)) (1 page); copy of Express Mail Receipts and Letters for Correspondence sent to Mr. Katen on July 19, 2005 and August 5, 2005 (4 pages); and Return Receipt Postcard are being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to:

MAIL STOP MISSING PARTS  
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Dated: 8/15/05

  
\_\_\_\_\_  
Sheri West



Rec'd PCT/PTO 15 AUG 2005

EV 042959371 US PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/521,145
	Filing Date	July 22, 2003
	First Named Inventor	Arthur H. Konwinski.
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	SP-1307 PCT US

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <small>Added Page to Combined Declaration and Power of Attorney for Signature by Joint Inventor(s) on Behalf of Nonsigning Inventor(s) Who Refuse(s) to Sign or Cannot be Reached (37 CFR 1.47(a))</small>
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	JAMES L. CORDEK, 31,807
Signature	
Date	15 Aug. 2005

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.P. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Type or printed name	Sheri West		
Signature		Date	8/15/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,145	Charles T Worrall	SP-1307-PCT US
INTERNATIONAL APPLICATION NO.		
PCT/US03/22844		
IA. FILING DATE		PRIORITY DATE
07/22/2003		07/22/2002
<b>CONFIRMATION NO. 2780</b> <b>371 FORMALITIES LETTER</b> <b>*OC000000016280492*</b> <b>*OC000000016280492*</b>		

Date Mailed: 06/16/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/13/2005
- Copy of the International Search Report filed on 01/13/2005
- Copy of IPE Report filed on 01/13/2005
- Preliminary Amendments filed on 01/13/2005
- Oath or Declaration filed on 01/13/2005
- Request for Immediate Examination filed on 01/13/2005
- U.S. Basic National Fees filed on 01/13/2005
- Priority Documents filed on 01/13/2005
- Power of Attorney filed on 01/13/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity.

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- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

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Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,145	PCT/US03/22844	SP-1307-PCT US

FORM PCT/DO/EO/905 (371 Formalities Notice)